

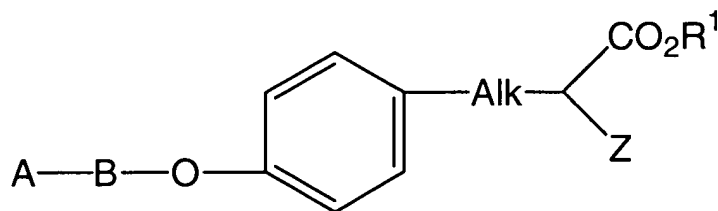
Remarks

Applicants have amended independent claims 1 and 27 in the definition of variable "B" in formula I (claim 1) and formula Ia (claim 27). Variable "B" in the amended claims does not include $-NR_{17}-$. Reference to radical " R_{17} " has also been removed from both claims. These amendments do not raise new issues and should not necessitate any additional search of the art by the Examiner, since the scope of compounds now claimed have presumably already been examined. Applicants also respectfully point out that the Final Office Action presented a new rejection of the claims based on a reference not cited before. Entering this Amendment allows the applicants to reply to the new rejection and should place the application in condition for allowance as explained below.

Claims 50-82 remain withdrawn from consideration. Claim 66 recites a pharmaceutical composition comprising a compound according to claim 27. Claim 66 should be examined together with the compound claims just as composition claim 49 has been. The remaining withdrawn claims recite methods of use and incorporate the subject matter of claim 1 or 27. Claims 1 and 27 are patentable over the reference cited by the Examiner as explained below. The rejoinder provisions of MPEP § 821.04 therefore require examination of the method of use claims in this application.

The Examiner rejected claims 1, 2, 7, 14, 15, 21-23, 27, 49 and 89 under 35 U.S.C. § 102(b) and § 103(a) in view of the disclosure of WO 97/31907 to Willson et al. ("Willson"). Applicants respectfully traverse this rejection.

Willson at page 3, line 10, discloses compounds of the following formula:



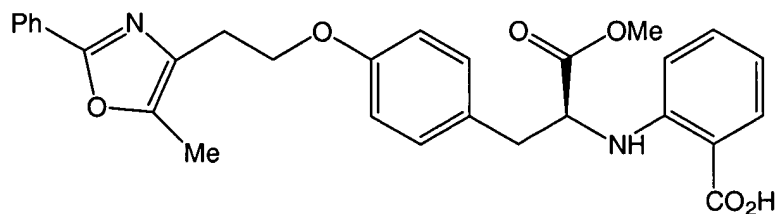
The phenyl group in the center of the formula above may correspond in position to group Ar II in claims 1 and 27, while A or B may correspond in position to group Ar I. The groups $-Alk-$ and $-C(CO_2R^1)-$ do not include values that would correspond to groups

B or Ar III in the claims. Each of groups B and Ar III must therefore correspond, if at all, to something in group Z of the Willson formula.

Group Z in Willson is selected from items (viii) and (ix) disclosed beginning at page 4, line 17 of the reference. Item (viii), defined as " $-(C_{1-3}\text{alkylene})\text{phenyl}$," does not teach or suggest compounds of the invention having group B as claimed. The disclosed $C_{1-3}\text{alkylene}$ group does not teach or suggest the claimed compounds having $-O-$, $-S-$, $-SO-$, $-SO_2-$, ethynylene, $-C(O)-$, $-N(R_{18})C(O)-$ or $-C(O)NR_{18}-$ in the corresponding position. Additionally, item (viii) does not teach or suggest an aryl group having at least substituent Z as defined in the present claims. Instead, the phenyl group in item (viii) of Willson is only disclosed as being optionally substituted by halogen atoms.

Item (ix) in Willson's definition of Z, " $-NR^3R^4$," also does not teach or suggest compounds of the invention having group B as claimed. Radical R^4 within $-NR^3R^4$ formula may possibly represent $-Y-(C=O)-T-R^5$, with Y possibly defined as a phenyl group and with $-(C=O)-T-R^5$ being a substituent on the ring. Assuming that the phenyl group may correspond in position to Ar III of the invention, the $-NR^3-$ group would correspond in position to group B of the invention. The $-NR^3-$ group does not teach or suggest, however, compounds having $-O-$, $-S-$, $-SO-$, $-SO_2-$, ethynylene, $-C(O)-$, $-N(R_{18})C(O)-$ or $-C(O)NR_{18}-$ in that position as recited for group B. The definition of group B originally included $-NR_{17}-$, but that has been removed from the claims by this amendment.

For at least the reasons provided above, the pending claims should be patentable over the Willson disclosure. At the bottom of page 2 of the Office Action, the Examiner provided the following structure, apparently representing a compound from the Willson disclosure, which was believed to anticipate the claims:



Consistent with the discussion above concerning the general disclosure at pages 3-5 of Willson, the compound above does not contain a group B as claimed. Assuming

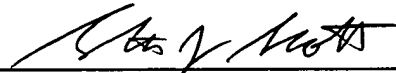
that the two phenyl groups in the compound above were to correspond in position to Ar II and Ar III of the invention, the compound does not teach or suggest a bridge between the two that would contain a group B as claimed defined as -O-, -S-, -SO-, -SO₂-, ethynylene, -C(O)-, -N(R₁₈)C(O)- or -C(O)NR₁₈-. One skilled in the art would not have been motivated to modify the compound to derive a group B either. The general formula disclosed as pages 3-5 does not even allow for that possibility.

In view of these amendments and remarks, the pending compound and composition claims should be patentable over the Willson disclosure and should be in condition for allowance. Applicants respectfully request that the Examiner enter this amendment and re-join the method of use claims for examination. Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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